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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,575	05/23/2001	Victor Wai Leung Lee	225133600020	9375

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EXAMINER

HARPER, V PAUL

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/863,575	Applicant(s) LEE ET AL.	
	Examiner V. Paul Harper	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

The following is a quotation of rule 1.75 a):

- a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.
2. Claim 1 is objected to because the phrase "language recognition models" is neither defined in specification nor a term of the art and is thus indefinite.

Given the preceding objection the following rejection is made in view of the art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bolduc et al. (U.S. Patent 6,681,008 B2), hereinafter referred to as Bolduc, in view of Kemp et al.

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("Reducing the OOV Rate in Broadcast News Speech Recognition" ICSLP Dec. 1998), hereinafter referred to as Kemp.

Regarding **claim 1**, Bolduc discloses an automated toll-free telecommunications information service and apparatus. Bolduc's apparatus includes:

- a call management unit that receives a call from the user and through which the user speech input is provided (Figs. 1 and 2, item 190; col. 2, lines 53-60);
- a speech management unit connected to the call management unit to recognize the user speech input through language recognition models (Fig. 2, item 220; col. 4, lines 23-27 where language recognition is interpreted to mean speech recognition),
- a service management unit connected to the speech management unit to handle a electronic-commerce request contained in the user speech input (abstract; col. 2, lines 53-60; col. 2, lines 40-48, where "clothing catalog services" is an example of an e-commerce request); and
- generate a summary of the Internet web pages, wherein said generated summary is voiced to the user in order to service the user request (Fig. 2, item 240; synthesizer, col. 4, lines 46-55; e.g., col. 6, lines 12-20, "play a brief recording introducing each match" of catalogue data via Internet search(col. 2, lines 53-55).

But Bolduc does not specifically teach the following:

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- a) a web data management unit connected to an Internet network that processes Internet web pages in order to generate the language recognition models for the speech management unit and
- b) said language recognition models containing word recognition probability data derived from word usage on Internet web pages;

However, the examiner contends that these concepts were well known in the art, as taught by Kemp.

In the same field of endeavor, Kemp teaches a technique for dynamically adapting the active vocabulary reducing the out-of-vocabulary rate in speech recognition by gathering speech data used for recognition (b), above) from the Internet (a), above (abstract, §'s 3 and 4, "gathering text from the Internet" to "adapt the language model of the recognition system" where the processing of such data necessarily results in probability data used for recognition).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Bolduc by specifically providing features, as taught by Kemp, because it is well known in the art at the time of invention as a way of reducing out-of-vocabulary error rate (Kemp, abstract).

Citation of Pertinent Art

4. The following prior art made of record but not relied upon is considered pertinent to the applicant's disclosure:

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- Kouroupetroglou et al. ("Speech-enabled e-Commerce for Disabled and Elderly Persons" COST 219 Seminar "Speech and Hearing Technology" Nov. 22, 2000, Cottbus, Germany) teach e-Commerce Internet access over telephones using speech.
- PR Newswire: Vocalis Gives Websites a Voice
(http://www.findarticles.com/cf_dls/m4PRN/1999_March_3/54003718/p1/article.jhtml
March 3, 1999) teaches a technique for Internet access using the telephone.
- Zue et al. ("JUPITER: A Telephone-Based conversational Interface for Weather Information" IEEE Transactions on Speech and Audio Processing, Vol. 8, No. 1, Jan. 2000) teaches Internet access over the telephone.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. V. Paul Harper whose telephone number is 703 305-4197. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 703 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VPH



Donald L. Storm
PATENT EXAMINER
AU 2654